

TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A FILING UNDER 35 U.S.C. 371

WWH-188

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/284155

INTERNATIONAL APPLICATION NO.

PCT/EP97/05454

INTERNATIONAL FILING DATE

04 October 1997

PRIORITY DATE CLAIMED

196 43 486.6, Germany, 22 October 1996

TITLE OF INVENTION

METHOD FOR DETECTING RESISTANT FUNGAL CELLS IN CLINICAL MATERIAL

APPLICANT(S) FOR DO/EO/US

Jurgen LOFFLER and Hermann EINSELE

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 18 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.  
A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☒ Certificate of Mailing by Express Mail
19. ☒ Other items or information:

Return postal card

Sequence listing

Floppy disk

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20. The following fees are submitted:

CALCULATIONS PTO USE ONLY

## BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :

- ☒ Search Report has been prepared by the EPO or JPO ..... \$970.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) .....
- ☐ No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .....
- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) .....

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$970.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	26 - 20 =	6	x \$18.00	\$108.00	
Independent claims	10 - 3 =	7	x \$78.00	\$546.00	
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00	

TOTAL OF ABOVE CALCULATIONS =

\$1,754.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).

☐

\$0.00

SUBTOTAL =

\$1,754.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

+

\$0.00

TOTAL NATIONAL FEE =

\$1,754.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

☐

\$0.00

TOTAL FEES ENCLOSED =

\$1,754.00

Amount to be:

refunded

\$

charged

\$

☒ A check in the amount of \$1,754.00 to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 11-0231 A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Steven J. Moore  
Cummings & Lockwood  
Granite Square  
700 State Street  
New Haven, CT 06509-1960

SIGNATURE

Steven J. Moore

NAME

35-959

REGISTRATION NUMBER

4-8-99

DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

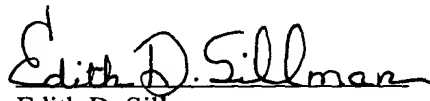
Applicants: LÖFFLER, et al. Art Unit: Not Assigned  
Serial No.: Not Assigned Examiner: Not Assigned  
Filing Date: April 8, 1999 Docket No.: WWH-188  
Title: Method for Detecting Resistant Fungal Cells in Clinical Material

BOX PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

"Express Mail Mailing Label Number: EL088351361US  
Date of Deposit: April 8, 1999

I hereby certify that the attached Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (2 pages); 28 pages of specification, including 4 pages of claims and 1 page of Abstract; 3 pages of Sequence Listing; computer disk containing Sequence Listing; copy of the published PCT application (WO 98/17825); International Search Report with cited documents; copy of Preliminary Examination Report; Information Disclosure Statement; Form PTO-1449 with cited references; check in the amount of \$1,754.00 to cover the filing fee; and a return postal card are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: April 8, 1999

  
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